

concur in House amendments and requested appointment of Conference Committee; May 26, 2017, House granted request of the Senate; May 28, 2017, Senate adopted Conference Committee Report by the following vote: Yeas 29, Nays 1; passed the House, with amendments, on May 21, 2017: Yeas 135, Nays 0, two present not voting; May 26, 2017, House granted request of the Senate for appointment of Conference Committee; May 28, 2017, House adopted Conference Committee Report by the following vote: Yeas 146, Nays 0, one present not voting.

Approved June 15, 2017.

Effective June 15, 2017.

**AN APPLICATION FOR THE AMENDMENT OF A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY
IN AN AREA WITHIN THE BOUNDARIES OF A POLITICAL
SUBDIVISION**

CHAPTER 948

S.B. No. 1842

AN ACT

relating to an application for the amendment of a certificate of public convenience and necessity in an area within the boundaries of a political subdivision.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 13.002, Water Code, is amended by adding Subdivision (13-a) to read as follows:

(13-a) "Municipal utility district" means a political subdivision of this state operating under Chapter 54.

SECTION 2. Section 13.244(a), Water Code, is amended to read as follows:

(a) *Except as provided by Section 13.258, to [T6] obtain a certificate of public convenience and necessity or an amendment to a certificate, a public utility or water supply or sewer service corporation shall submit to the utility commission an application for a certificate or for an amendment as provided by this section.*

SECTION 3. Section 13.246, Water Code, is amended by adding Subsection (j) to read as follows:

(j) *This section does not apply to an application under Section 13.258.*

SECTION 4. Subchapter G, Chapter 13, Water Code, is amended by adding Section 13.258 to read as follows:

Sec. 13.258. UTILITY'S APPLICATION FOR AMENDMENT AND USE OF MUNICIPAL UTILITY DISTRICT'S CERTIFICATE UNDER CONTRACT. (a) *Notwithstanding any other provision of this chapter, a Class A utility may apply to the commission for an amendment of a certificate of convenience and necessity held by a municipal utility district to allow the utility to have the same rights and powers under the certificate as the municipal utility district.*

(b) *This section does not apply to a certificate of convenience and necessity held by a municipal utility district located wholly or partly inside of the corporate limits or extrajurisdictional jurisdiction of a municipality with a population of two million or more.*

(c) *An application under this section must be accompanied by:*

- (1) *information identifying the applicant;*
- (2) *the identifying number of the certificate of convenience and necessity to be amended;*
- (3) *the written consent of the municipal utility district that holds the certificate of convenience and necessity;*

(4) a written statement by the municipal utility district that the application is supported by a contract between the municipal utility district and the utility for the utility to provide services inside the certificated area and inside the boundaries of the municipal utility district; and

(5) a description of the proposed service area by:

(A) a metes and bounds survey certified by a licensed state land surveyor or a registered professional land surveyor;

(B) the Texas State Plane Coordinate System;

(C) verifiable landmarks, including roads, creeks, or railroad lines; or

(D) if a recorded plat of the area exists, lot and block number.

(d) For an application under this section, the utility commission may not require any information other than the information required by this section.

(e) Not later than the 60th day after the date an applicant files an application for an amendment under this section, the utility commission shall review whether the application is complete. If the utility commission finds that the application is complete, the utility commission shall:

(1) find that the amendment of the certificate is necessary for the service, accommodation, convenience, or safety of the public; and

(2) grant the application and amend the certificate.

(f) The utility commission's decision under this section becomes final after reconsideration, if any, authorized by utility commission rule, and may not be appealed.

(g) The consent of a municipality is not required for the utility commission to amend a certificate as provided by Subsection (a) for an area that is in the municipality's extraterritorial jurisdiction.

(h) Sections 13.241(d) and 13.245 do not apply to an application under this section.

(i) Chapter 2001, Government Code, does not apply to an application for an amendment of a certificate of convenience and necessity under this section.

SECTION 5. Section 341.035(d), Health and Safety Code, is amended to read as follows:

(d) A person is not required to file a business plan under Subsection (a)(1) or (b) if the person:

(1) is a county;

(2) is a retail public utility as defined by Section 13.002, Water Code, unless that person is a utility as defined by that section;

(3) has executed an agreement with a political subdivision to transfer the ownership and operation of the water supply system to the political subdivision; ~~or~~

(4) is a Class A utility, as defined by Section 13.002, Water Code, that has applied for or been granted an amendment of a certificate of convenience and necessity under Section 13.258, Water Code, for the area in which the construction of the public drinking water supply system will operate; or

(5) is a noncommunity nontransient water system and the person has demonstrated financial assurance under Chapter 361 or 382 of this code or Chapter 26, Water Code.

SECTION 6. The change in law made by this Act applies only to an application for an amendment of a certificate of public convenience and necessity filed on or after the effective date of this Act. An application filed before the effective date of this Act is governed by the law in effect on the date the application is filed, and the former law is continued in effect for that purpose.

SECTION 7. This Act takes effect September 1, 2017.

Passed the Senate on May 4, 2017: Yeas 31, Nays 0; the Senate concurred in House

amendment on May 26, 2017: Yeas 29, Nays 2; passed the House, with amendment, on May 22, 2017: Yeas 139, Nays 6, two present not voting.

Approved June 15, 2017.

Effective September 1, 2017.

**PROVIDING AN OPPORTUNITY FOR PUBLIC HIGH SCHOOL
STUDENTS IN GRADES 10 THROUGH 12 TO TAKE THE
ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST
OR AN ALTERNATIVE VOCATIONAL APTITUDE TEST**

CHAPTER 949

S.B. No. 1843

AN ACT

relating to providing an opportunity for public high school students in grades 10 through 12 to take the Armed Services Vocational Aptitude Battery test or an alternative vocational aptitude test.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subchapter Z, Chapter 29, Education Code, is amended by adding Section 29.9015 to read as follows:

Sec. 29.9015. **ARMED SERVICES VOCATIONAL APTITUDE BATTERY TEST.**

(a) *Except as provided by Subsection (d) or (e), each school year each school district and open-enrollment charter school shall provide students in grades 10 through 12 an opportunity to take the Armed Services Vocational Aptitude Battery test and consult with a military recruiter.*

(b) *The test under Subsection (a) must be scheduled:*

(1) *during normal school hours; and*

(2) *to optimize student participation, at a time that limits conflicts with extracurricular activities.*

(c) *Each school district and open-enrollment charter school shall provide each student in grades 10 through 12 and the student's parent or person standing in parental relation to the student a notice of the date, time, and location of the scheduled administration of the Armed Services Vocational Aptitude Battery test.*

(d) *A school district or open-enrollment charter school may elect not to provide the Armed Services Vocational Aptitude Battery test only if the district or school provides an alternative test that:*

(1) *assesses a student's aptitude for success in a career field other than a career field that requires postsecondary education;*

(2) *is free to administer;*

(3) *requires minimal training and support of district or school faculty and staff to administer the test; and*

(4) *provides the student with a professional interpretation of the test results that allows the student to:*

(A) *explore occupations that are consistent with the student's interests and skills; and*

(B) *develop strategies to attain the student's career goals.*

(e) *This subsection applies only to a school district, open-enrollment charter school, or high school that, before September 1, 2017, entered into a contract under which a vocational aptitude test that does not comply with the requirements for an alternative test*